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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/590,649	01/04/2007	**Raiko Milanovic**	1034193-000058	1499

21839 7590 09/08/2008

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EXAMINER	
STEVENS, THOMAS H	

ART UNIT	PAPER NUMBER
2121	

NOTIFICATION DATE	DELIVERY MODE
09/08/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com

Office Action Summary	Application No.	Applicant(s)	
	10/590,649	MILANOVIC ET AL.	
	Examiner	Art Unit	
	THOMAS H. STEVENS	2121	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 August 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *25 August 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *08/25/2006*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-18 were examined.

Claim Objections

2. The examiner has provided a number of claim deficiency examples; however, the list of deficiencies may not be inclusive. Applicant should refer to these as examples of deficiencies and should make all necessary corrections to eliminate the claim objections.

- Claim 11, line 4, 'the process state"; suggestion: a process state.

All claims have been treated on their merits.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-9 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claim 9 recites the limitation "the respective" in line 7. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Breed (US Patent Application 2007/0271014; hereafter Breed). Breed discloses a vehicle diagnostic system (title).

Claim 1. A process control (paragraph 0193, "controller or diagnostic module")system having measurement devices (paragraph 0193, "sensors 48,49 measure other parameters")and actuators (paragraph 748) wherein a) all the measurement devices (paragraph 0193, "sensors 48,49 measure other parameters")and actuators (paragraph 748) contain means for information processing and for data interchange between the measurement devices (paragraph 0193, "sensors 48,49 measure other parameters")and actuators (paragraph 748), b) all the measurement devices (paragraph 0193, "sensors 48,49 measure other parameters")and actuators (paragraph 748) are connected by means for bidirectional data (paragraph 0043, inherent between the Internet and the PDA, paragraph 0043)interchange, and c) a plurality, preferably all, of the measurement devices (paragraph 0193, "sensors 48,49 measure other

parameters")and actuators (paragraph 748) have means for data interchange with a service appliance which can be connected.

Claim 2. The process control (paragraph 0193, "controller or diagnostic module")system as claimed in claim 1, wherein the means for information processing and for data interchange between the measurement devices (paragraph 0193, "sensors 48,49 measure other parameters")and actuators (paragraph 748) are a microcomputer with interface devices for bidirectional data interchange.

Claim 3. The process control (paragraph 0193, "controller or diagnostic module")system as claimed in claim 1, wherein the means for data interchange with a service appliance which can be connected are an interface device for bi-directional data interchange (paragraph 0043, inherent between the Internet and the PDA, paragraph 0043) and a plug-in apparatus, with the interface device being designed to provide current data relating to the process state for calling up.

Claim 4. The process control (paragraph 0193, "controller or diagnostic module")system as claimed in claim 1, wherein point-to-point links (paragraph 0043, inherent between the Internet and the PDA, paragraph 0043) are produced as means for bidirectional data interchange (paragraph 0043, inherent between the Internet and the PDA, paragraph 0043).

Claim 5. The process control (paragraph 0193, "controller or diagnostic module")system as claimed in claim 1, wherein a bus system, to which all of the measurement devices (paragraph 0193, "sensors 48,49 measure other parameters")and actuators (paragraph 748) are connected, is provided as the means for bidirectional data interchange (paragraph 0043, inherent between the Internet and the PDA, paragraph 0043).

Claim 6. The process control (paragraph 0193, "controller or diagnostic module")system as claimed in claim 1, wherein a laptop or a PDA (paragraph 0043, inherent between the Internet and the PDA, paragraph 0043) is used as the service appliance which can be connected.

Claim 7. The process control (paragraph 0193, "controller or diagnostic module")system as claimed in claim 1, wherein the measurement devices (paragraph 0193, "sensors 48,49 measure other parameters")and actuators (paragraph 748) are designed to carry out plausibility checks and diagnoses (diagnostic system, paragraph 0043).

Claim 8. The process control (paragraph 0193, "controller or diagnostic module")system as claimed in claim 1, wherein the measurement devices (paragraph 0193, "sensors 48,49 measure other parameters")and actuators (paragraph 748) are designed for preprocessing of recorded data (PDA hold bidirectional data, paragraph 0043).

Claim 9. A method for operation of a process control (paragraph 0193, "controller or

diagnostic module")system as claimed in claim 1, wherein data which has been recorded in measurement devices (paragraph 0193, "sensors 48,49 measure other parameters")of the system by sensors of the measurement devices (paragraph 0193, "sensors 48,49 measure other parameters")and has possibly been obtained by preprocessing is linked to data (paragraph 0043, inherent between the Internet and the PDA, paragraph 0043) from other measurement devices, and all of the data is stored and is transmitted to the respective other measurement devices (paragraph 0193, "sensors 48,49 measure other parameters")and to actuators (paragraph 748), and data which has been called up from a service device which is connected to measurement devices (paragraph 0193, "sensors 48,49 measure other parameters")or actuators (paragraph 748) is emitted.

Claim 10. The method as claimed in claim 9, wherein self-diagnoses (diagnostic system, paragraph 0043) are carried out in the components of the process control (paragraph 0193, "controller or diagnostic module")system, whose results are likewise stored such that they can be called up by a service device.

Claim 11. The process control (paragraph 0193, "controller or diagnostic module")system as claimed in claim 2, wherein the means for data interchange with a service appliance which can be connected are an interface device for bi-directional data interchange (paragraph 0043, inherent between the Internet and the PDA, paragraph 0043) and a plug-in apparatus, with the interface device being designed to provide

current data relating to the process state for calling up.

Claim 12. The process control (paragraph 0193, "controller or diagnostic module")system as claimed in claim 11, wherein point-to-point links are produced as means for bidirectional data interchange (paragraph 0043, inherent between the Internet and the PDA, paragraph 0043).

Claim 13. The process control (paragraph 0193, "controller or diagnostic module")system as claimed in claim 12, wherein a bus system, to which all of the measurement devices (paragraph 0193, "sensors 48,49 measure other parameters")and actuators (paragraph 748) are connected, is provided as the means for bidirectional data interchange (paragraph 0043, inherent between the Internet and the PDA, paragraph 0043).

Claim 14. The process control (paragraph 0193, "controller or diagnostic module")system as claimed in claim 13, wherein a laptop or a PDA (paragraph 0043, inherent between the Internet and the PDA, paragraph 0043) is used as the service appliance which can be connected.

Claim 15. The process control (paragraph 0193, "controller or diagnostic module")system as claimed in claim 14, wherein the measurement devices (paragraph 0193, "sensors 48,49 measure other parameters")and actuators (paragraph 748) are

designed to carry out plausibility checks and diagnoses (diagnostic system, paragraph 0043).

Claim 16. The process control (paragraph 0193, "controller or diagnostic module")system as claimed in claim 15, wherein the measurement devices (paragraph 0193, "sensors 48,49 measure other parameters")and actuators (paragraph 748) are designed for preprocessing of recorded data (PDA hold bidirectional data, paragraph 0043).

Claim 17. A method for operation of a process control (paragraph 0193, "controller or diagnostic module")system as claimed in claim 16, wherein: data which has been recorded in measurement devices (paragraph 0193, "sensors 48,49 measure other parameters")of the system by sensors of the measurement devices (paragraph 0193, "sensors 48,49 measure other parameters")and has possibly been obtained by preprocessing is linked to data from other measurement devices, and all of the data is stored and is transmitted to the respective other measurement devices (paragraph 0193, "sensors 48,49 measure other parameters")and to actuators (paragraph 748), and data which has been called up from a service device which is connected to measurement devices (paragraph 0193, "sensors 48,49 measure other parameters")or actuators (paragraph 748) is emitted.

Claim 18. A process control (paragraph 0193, "controller or diagnostic module")system,

comprising: measurement devices (paragraph 0193, "sensors 48,49 measure other parameters")and actuators (paragraph 748), each of which includes means for information processing and for data interchange between the measurement devices (paragraph 0193, "sensors 48,49 measure other parameters")and actuators (paragraph 748); means for interconnecting the measurement devices (paragraph 0193, "sensors 48,49 measure other parameters")and actuators (paragraph 748) for bidirectional data interchange; and means, provided with multiple ones of the measurement devices (paragraph 0193, "sensors 48,49 measure other parameters")and actuators (paragraph 748), for data interchange (paragraph 0043, inherent between the Internet and the PDA, paragraph 0043) with a service appliance which can be connected.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicants' disclosure:

- US 4445180 A discloses an electric power plant, including a fossil fired boiler and a steam turbine, is operated by a control system including a plant unit master.

- US 6907302 B2 discloses a system and software for controlling output devices used in association with machinery

- US 4766759 A discloses mechanical displacement flowmeter calibrator has a first fluid line external of the measuring cylinder of the calibrator connected between the inlet and outlet thereof.

- US 4502318 A discloses a scale for dynamically determining the weight of a liquid flowing through a flow meter, together with means for measuring the flow through the flow meter being tested. In the case of a glass tube flow meter, a float detection system is used, whereby the operator will set the flow through the flow meter to a desired point,

- US 5024100 A discloses an automatic transducer selection system for fluid pressure measurement functions by using two or more transducers with different ranges of accuracy and also by incorporating comparator circuitry which automatically selects the transducer reading nearer to full scale.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mr. Tom Stevens whose telephone number is 571-272-3715.

If attempts to reach the examiner by telephone are unsuccessful, please contact examiner's supervisor Mr. Albert Decady (571-272-3819). The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov.. Answers to questions regarding access to the Private PAIR system, contact the Electronic Business Center (EBC) (toll-free (866-217-9197)).

/Albert Decady /
Supervisory Patent Examiner
Tech Center 2100

/Thomas H. Stevens/

Examiner, Art Unit 2121